

SCOTT N. SCHOOLS, SC SBN 9990  
 United States Attorney  
 JOANN M. SWANSON, CSBN 88143  
 Assistant United States Attorney  
 Chief, Civil Division  
 EDWARD A. OLSEN, CSBN 214150  
 Assistant United States Attorney  
 450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102  
 Telephone: (415) 436-6915  
 FAX: (415) 436-6927

Attorneys for Defendants

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

AMIR ALI KHAN,

Plaintiff,

v.

ALBERTO GONZALES, Attorney General of  
 the United States; MICHAEL CHERTOFF,  
 Secretary of the Department of Homeland  
 Security; EMILIO GONZALEZ, Director of  
 United States Citizenship and Immigration  
 Services; ROBERT S. MUELLER, III, Director  
 of the Federal Bureau of Investigation;  
 CHRISTINA POULOS, Director of the  
 California Service Center; et al.,

Defendants.

No. C 07-2871 BZ

**PARTIES' JOINT REQUEST TO BE  
 EXEMPT FROM FORMAL ADR  
 PROCESS**

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this action is limited to plaintiff's request that this Court compel defendants to adjudicate the

Parties' Request for ADR Exemption  
 C 07-2871 BZ

1 application for naturalization. Defendants have already requested the FBI expedite the name check  
2 so that the application may be processed as soon as possible. Given the substance of the action and  
3 the lack of any potential middle ground, ADR will only serve to multiply the proceedings and  
4 unnecessarily tax court resources.

5 Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the  
6 ADR Multi-Option Program and that they be excused from participating in the ADR phone  
7 conference and any further formal ADR process.

8 Date: November 6, 2007

Respectfully submitted,

9 SCOTT N. SCHOOLS  
10 United States Attorney

11 /s/  
12 EDWARD A. OLSEN  
13 Assistant United States Attorney  
14 Attorneys for Defendants

15 Date: November 6, 2007

16 /s/  
17 SHAH PEERALLY  
18 Attorneys for Plaintiff

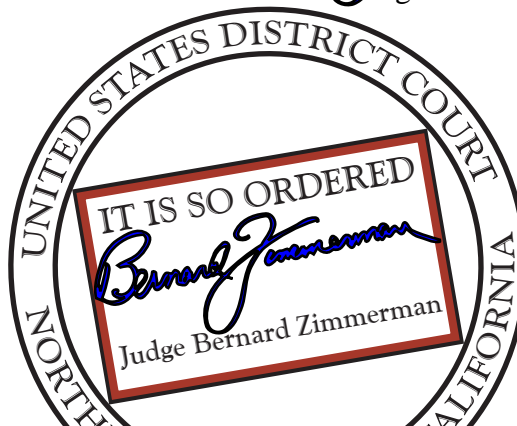
### 19 ORDER

20 Pursuant to stipulation and to ADR L. R. 3-3(c), the parties are hereby removed from the  
21 ADR Multi-Option Program and are excused from participating in the ADR phone conference and  
22 any further formal ADR process.

23 **SO ORDERED.**

24 Date: November 7, 2007

25 Bernard Zimmerman  
26 BERNARD ZIMMERMAN  
27 United States Magistrate Judge



Parties' Request for ADR Exemption  
C 07-2871 BZ